Convention on the Rights of the Chi

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Committee on the Rights of the Child

Concluding observations on the combined fifth to seventh periodic reports of Angola*

I. Introduction

1. The Committee considered the combined fifth to seventh periodic reports of Angola (CRC/C/AGO/5-7) at its 2286th and 2287th meetings (see CRC/C/SR.2286 and 2287), held on 15 and 16 May 2018, and adopted the present concluding observations at its 2310th meeting, held on 1 June 2018.

2. The Committee welcomes the submission of the combined fifth to seventh periodic reports of the State party and the written replies to the list of issues (CRC/C/AGO/Q/5-7/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the accession of the State party to the Convention on the Rights of Persons with Disabilities and its Optional Protocol on 19 May 2014. The Committee also notes with appreciation the adoption of legislative, institutional and policy measures to implement the Convention, in particular:

(a) The Labour Law, in 2015;

(b) Law No. 25/12 on the Protection and Development of the Whole Child (the Children's Act);

(c) Basic Law No. 17/16 of the Education and Teaching System and the National Action Plan "Education for All" 2013–2020;

(d) Law No .25/11 against Domestic Violence;

(e) The National Health Development Plan 2012–2025, which includes the objectives of reducing maternal, infant and child mortality and morbidity;

(f) The National Plan to Combat Violence against Children, in 2011.

* Adopted by the Committee at its seventy-eighth session (14 May–1 June 2018).

III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: the development of a comprehensive policy on the rights of the child and a strategy for children (para. 7); birth registration (para. 19); all forms of violence against children, including corporal punishment (para. 21); the right of the child to the enjoyment of the highest attainable standard of health, including the reduction of child morbidity and mortality (para. 28); food and nutrition security, in particular reducing the high rate of stunted children under 5 years of age in rural areas (para. 33); and the administration of juvenile justice, in particular as regards the upper age limit of the juvenile justice system (para. 38).

A. General measures of implementation (arts. 4, 42 and 44 (6))

Legislation

5. **The Committee welcomes the integration of the "11 Commitments for Children" in the Children's Act and notes the continuing efforts by the State party to harmonize its legislation relating to children. Recalling its previous recommendations (see CRC/C/AGO/CO/2-4, para. 9), the Committee recommends that the State party accelerate harmonization of the remaining legislation with the Children's Act and the Convention and ensure that all the principles and provisions of the Convention are fully incorporated into the domestic legal system.**

Comprehensive policy and strategy

6. The Committee notes the establishment of the National Council for Social Action in 2016, replacing the National Council for Children, the National Council for Older Persons, and the National Council for Supporting Persons with Disabilities. It regrets that the National Council for Social Action has not yet adopted a comprehensive policy with a focus on children and that, following the restructuring of the Council its mandate lacks a focus on children's rights issues at the national and provincial levels.

7. **The Committee urges the State party to:**

(a) **Define a clear time frame for the development of a comprehensive policy on the rights of the child, encompassing all the areas covered by the Convention;**

(b) **Develop a strategy for children on the basis of the above-mentioned policy with the human, technical and financial resources necessary for its implementation;**

(c) **Establish an adequate evaluation and monitoring mechanism to regularly assess progress achieved and identify possible deficiencies;**

(d) **Seek technical cooperation with regard to the recommendations in subparagraphs (a) to (c) above, in particular from the United Nations Children's Fund (UNICEF).**

Coordination

8. **Noting that there are overlapping mandates regarding the promotion and protection of child rights among the Ministry for Social Action, the Family and the Advancement of Women, the Ministry of Justice and Human Rights, the National Institute of the Child, the National Directorate for Children, the National Observatory of the Situation of the Child and the National Council for Social Action, the Committee recommends that the State party consider establishing a mechanism at a high interministerial level to coordinate, monitor and evaluate all activities related to**

the implementation of the Convention at the cross-sectoral, national, provincial and municipal levels.

Allocation of resources

9. **The Committee notes that the State party has been implementing economic reform programmes and has tightened public spending owing to an economic downturn. With reference to the Committee's general comment No. 19 (2016) on public budgeting for the realization of children's rights and recalling its previous recommendations (see CRC/C/AGO/C/CO/2-4, para. 17), the Committee recommends that the State party:**

(a) **Ensure that gains realized from its economic growth, in particular the benefits from oil, gas and diamond industry revenues, are directed towards poverty reduction, especially among children;**

(b) **Conduct a comprehensive assessment of the budget needs for children and allocate adequate budgetary resources, in accordance with article 4 of the Convention, for the implementation of children's rights and, in particular, increase the budget allocated to the health, education and social sectors, including considering "cash plus" and other social protection schemes, and address disparities on the basis of indicators related to children's rights;**

(c) **Utilize a child-rights approach in planning the State budget, by implementing a tracking system for the allocation and use of resources for children throughout the budget, including impact assessments on how investments in any sector may serve the best interests of the child, ensuring that the differential impact of such investments on girls and boys is measured;**

(d) **Conduct a comprehensive assessment of budget needs and establish transparent allocations to progressively address the disparities in indicators related to children's rights;**

(e) **Ensure transparent and participatory budgeting through public dialogue, especially with children, and the accountability of municipal authorities with regard to such budgeting for the realization of children's rights;**

(f) **Define budgetary lines for all children, paying special attention to those in disadvantaged or vulnerable situations who may require affirmative social measures, and make sure that those budgetary lines are protected, even in situations of economic crisis, natural disasters or other emergencies;**

(g) **Carry out impact assessments of any austerity measures in areas directly or indirectly related to children's rights;**

(h) **In view of target 16.5 of the Sustainable Development Goals on substantially reducing corruption and bribery in all their forms, ensure strict enforcement of the national anti-corruption legislation to effectively detect, investigate and prosecute corruption.**

Data collection

10. **While welcoming the statistical data provided to the Committee and the State party's plans to use the data to strengthen measures for the holistic development of the child, the Committee notes that collection of reliable data continues to be a challenge and, with reference to its general comment No. 5 (2003) on general measures of implementation of the Convention, recommends that the State party:**

(a) **Create an integrated data-collection and management system covering all areas of the Convention, with data disaggregated by age, sex, type of disability, geographic location, ethnic and national origin and socioeconomic background, to facilitate analysis of the situation of all children, particularly those in situations of vulnerability;**

(b) Ensure that the data and indicators are shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention at the national, provincial and municipal levels;

(c) Take into account the conceptual and methodological framework set out in the report of the Office of the United Nations High Commissioner for Human Rights (OHCHR), *Human Rights Indicators: A Guide to Measurement and Implementation* (HR/PUB/12/5), when defining, collecting and disseminating statistical information and strengthen technical cooperation in this regard with, among others, UNICEF.

Independent monitoring

11. Taking into account the commitment made by the State party in the context of the second cycle of the universal periodic review of the country in 2014 to consider establishing a national human rights institution or to strengthen the mandate of the Office of the Ombudsperson (Provedor de Justiça) (see A/HRC/28/11/Add.1, paras. 3–5), and with reference to its general comment No. 2 (2002) on the role of independent national human rights institutions in the promotion and protection of the rights of the child, the Committee reiterates its previous recommendation (see CRC/C/AGO/CO/2-4, para. 15) that the State party establish an independent monitoring mechanism that is compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

Dissemination, awareness-raising and training

12. Recognizing the efforts of the State party to implement awareness-raising campaigns and programmes, including child-protection training programmes, and to disseminate information on the rights of the child to the public through the media, and recalling its previous recommendations, the Committee recommends that the State party:

(a) Intensify its efforts to disseminate information on the Convention, including through awareness-raising programmes, to parents, the wider public and children in a child-friendly manner, and to legislators and judges to ensure the application of the Convention in the legislative and judicial processes;

(b) Strengthen its training programmes for all professionals working with and for children, including by swiftly adopting the draft policy for teacher training and implementing a child rights-based and train-the-trainer approach;

(c) Seek technical assistance from, among others, the Inter-Parliamentary Union, OHCHR and UNICEF.

Cooperation with civil society

13. Noting the difficulties faced by non-governmental organizations, the Committee recommends that the State party:

(a) Strengthen its cooperation with civil society, including children's organizations, in the planning, implementation, monitoring and evaluation of policies, plans and programmes related to children's rights, including by providing support to their activities;

(b) Involve children, including child human rights defenders, in its civil society cooperation framework.

Children's rights and the business sector

14. With reference to its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework (A/HRC/17/31, annex), and recalling its previous

recommendations (see CRC/C/AGO/CO/2-4, para. 25), the Committee recommends that the State party:

(a) Establish and implement regulations to ensure that the business sector complies with international and national human rights, labour, environmental and other standards, particularly with regard to children's rights;

(b) Establish a clear regulatory framework for the industries operating in the State party, in particular the oil, gas, diamond, fishing and farming industries, to ensure that their activities do not negatively affect children's rights or endanger environmental and other standards;

(c) Monitor and ensure the effective implementation by companies (whether private or State owned) of international and national environmental and health standards, apply appropriate sanctions, provide remedies for any violations found and ensure that companies seek the appropriate international certification;

(d) Require companies to undertake assessments, consultations and full public disclosure with regard to the environmental, health-related and human rights impacts of their business activities and their plans to address such impacts;

(e) Examine and adapt its legislative framework to ensure the legal accountability of companies and their subsidiaries operating in or managed from the State party's territory;

(f) Establish monitoring mechanisms for the investigation and redress of children's rights violations.

B. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

15. **The Committee urges the State party to continue and strengthen its activities to combat discrimination, in particular with regard to children with disabilities, pregnant girls, children with HIV/AIDS, San children, lesbian, gay, bisexual, transgender and intersex children and children in street situations, who are still exposed to discriminatory attitudes and behaviours.**

Best interests of the child

16. **Recognizing the State party's efforts to integrate the principle of the best interests of the child in its legislation, and with reference to the Committee's general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:**

(a) Strengthen its efforts to ensure that the principle of the best interests of the child is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions and in all policies and programmes that are relevant to and have an impact on children;

(b) Develop procedures and criteria to provide guidance to all relevant professionals for determining the best interests of the child in every area and for giving the best interests of the child due weight as a primary consideration.

Respect for the views of the child

17. **The Committee welcomes the practice of holding national and provincial assemblies of children the day before each edition of the National Children's Forum, the guidelines on child participation being prepared by the National Institute of the Child and the National Child Participation Strategy (2014–2019). Recalling its previous recommendations (see CRC/C/AGO/CO/2-4, para. 33), and with reference to its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party continue to strengthen its efforts to ensure that children's views are given due consideration in the family, at home, in courts**

(including by lowering the minimum age of 10 when children must be heard in matters affecting them), in schools, in other children's institutions, in their communities and in all administrative and other proceedings concerning them, through, inter alia, the adoption of appropriate legislation, the training of professionals and the establishment of specific activities in schools.

C. Civil rights and freedoms (arts. 7, 8 and 13–17)

Birth registration, name and nationality

18. The Committee welcomes the State party's efforts to achieve universal birth registration, inter alia, by waiving registration fees for Angolan citizens for first-time applications for civil registration and the issuance of identity cards, including retroactively for unregistered adults, and by registering children born to refugees from the Democratic Republic of the Congo with the assistance of UNICEF. The Committee is nevertheless seriously concerned that:

(a) The goal of registering 100 per cent of children at birth by 2017 set out in the National Development Plan 2013–2017 has not been achieved;

(b) The State party's mass registration programme is continuing to be implemented with only a significantly reduced budget;

(c) Birth registration rates remain low, with a considerable divide between urban and rural areas, which represents an obstacle to preschool and school enrolment, a root cause of child labour and offences under the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography, and may lead to underage recruitment into the armed forces contrary to the provisions of the Optional Protocol to the Convention on the involvement of children in armed conflict;

(d) Practical obstacles to birth registration for children born to foreigners, including refugees and asylum seekers, are prevalent owing to a lack of clear guidance provided to birth registration officials, a situation that may render such children stateless;

(e) The legal requirement for all children to obtain an identification card by the age of 10 for acceptance to secondary education is not always implemented in practice and is thus one of the reasons why some adolescents do not attend school.

19. **Taking note of target 16.9 of the Sustainable Development Goals on providing legal identity for all, including birth registration, and reiterating its previous recommendations (see CRC/C/AGO/CO/2-4, para. 35), the Committee urges the State party to:**

(a) **Extend the national mass birth registration campaign to parents, including non-Angolan citizens, refugees and asylum seekers, as this facilitates birth registration for their children;**

(b) **Allocate sufficient financial, human and technical resources to the Civil Registration and Vital Statistics Programme for Africa, which includes birth registration, and decentralize birth registration as far as possible to benefit rural and marginalized populations, including by establishing mobile birth registration teams;**

(c) **Continue to conduct awareness-raising programmes, including campaigns, on birth registration within communities, in particular in rural areas;**

(d) **Continue to strengthen existent multisectoral approaches, increase effective coordination between relevant ministries and connect birth registration with social protection and health, education and social services;**

(e) **Step up efforts to remove practical obstacles, including by providing clear guidance and training to birth registration officials, to comprehensive birth registration of all children born to foreigners in Angola, including refugees and asylum seekers;**

(f) Introduce legal safeguards for children in the State party who would otherwise be stateless, and consider ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness;

(g) Take all the necessary measures to expand access to identification cards for all children and to other forms of identification documents for asylum-seeking and refugee children;

(h) Seek technical assistance from the Office of the United Nations High Commissioner for Refugees and UNICEF, among others, for the implementation of the recommendations in subparagraphs (a)–(g) above.

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Corporal punishment

20. The Committee is concerned that:

(a) Its previous recommendations to explicitly prohibit corporal punishment in law in all settings have not been implemented and that, as a consequence, corporal punishment remains lawful in the State party, except as a sentence for a crime;

(b) The State party submits that corporal punishment is considered a crime in all instances when this assertion is not supported by the relevant national laws, including the Children's Act, which in its article 10 provides for the legal defence of "justifiable correction" for an assault inflicted upon children for disciplinary purposes;

(c) It is reported, including by the State party, that corporal punishment is being exercised by some teachers in schools.

21. **Reiterating its concluding observations (see CRC/C/AGO/CO/2-4, para. 37), with reference to its general comments No. 13 (2011) on the right of the child to freedom from all forms of violence and No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, taking note of target 16.2 of the Sustainable Development Goals on ending all forms of violence against children, and in view of the State party's acceptance of relevant recommendations from its universal periodic review in 2014, the Committee urges the State party to:**

(a) Amend the Children's Act, including by removing the legal defence of "justifiable correction", the Domestic Violence Act, the Family Code, the Penal Code and any other relevant legislation to explicitly prohibit the use of corporal punishment in all settings, including at home, in schools, in alternative care settings, in day-care institutions and in penal institutions;

(b) Strengthen training programmes for teachers and public education, awareness-raising and social mobilization programmes involving children, families and communities on the harmful effects of corporal punishment, with a view to changing attitudes and promoting alternative, positive and non-violent forms of child-rearing and discipline.

Harmful practices

22. **The Committee reiterates its previous recommendations (see CRC/C/AGO/CO/2-4, para. 27) and urges the State party to:**

(a) Ensure that the minimum age of marriage of 18 years set in article 24, paragraph 1, of the Family Code is enforced;

(b) Expedite the review of the Family Code, including its article 24, paragraphs 2 and 3, which exceptionally allow girls to marry at the age of 15 and boys at 16, and ensure that there are no exceptions to the minimum age of marriage of 18 years, including under customary law;

(c) Continue the awareness-raising programmes, including campaigns, on the harmful effects of early marriage on the physical and mental health and well-being of girls, ensuring that all stakeholders are targeted, including households, municipal authorities, religious leaders, judges and prosecutors, and establish protection schemes for victims of child marriage;

(d) With reference to joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, take active measures to put an end to all other harmful practices against children in the State party, such as levirate and polygamy involving girls as spouses, acts of violence against girls accused of witchcraft and female genital mutilation/cutting, including by specifically criminalizing in the revised Penal Code all harmful practices amounting to acts of violence against children, especially girls.

Helplines

23. **Welcoming the fact that, in addition to the existing "SOS Criança" call centre, the State party has launched an emergency telephone line for domestic violence, and recalling its previous recommendation (see CRC/C/AGO/CO/2-4, para. 72), the Committee recommends that the State party create a single three-digit, toll-free, 24-hour national helpline in order to ensure greater efficiency.**

E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Family environment

24. **Welcoming the State party's efforts to provide counselling services for parents, the Committee recalls its previous recommendations (see CRC/C/AGO/CO/2-4, para. 40), and recommends that the State party:**

(a) Ensure effective implementation of the right of children born to single mothers to know and maintain contact with both their biological parents;

(b) Ensure that mothers and fathers equally share the legal responsibility for their children in accordance with article 18 (1) of the Convention;

(c) Reinforce measures to prevent family disintegration and strengthen the family, particularly in order to prevent child removal.

Children deprived of a family environment

25. **The Committee welcomes the implementation of the National Family Location and Reunification Programme, which has reintegrated the majority of children into biological or alternate families, and the training of personnel working in children's institutions. Recalling its previous recommendations (see CRC/C/AGO/CO/2-4, paras. 42 and 44) and with reference to the United Nations Guidelines for the Alternative Care of Children, the Committee recommends that the State party:**

(a) Establish a comprehensive, rights-based and accountable system of alternative care for children deprived of parental care that integrates the traditional care provided by the extended family with a particular focus on the best interests of the child;

(b) Take measures to expand the system of foster care for children who cannot stay with their families, with a view to reducing the institutionalization of children;

(c) Ensure the effective monitoring and assessment of placements of children and the allocation of adequate human, technical and financial resources to alternative care centres and relevant child protection services to facilitate the rehabilitation and social reintegration of child residents;

(d) **Consider ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, review its adoption regulations, including in the revised Family Code, and seek technical assistance from UNICEF in this regard.**

F. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)–(3) and 33)

Children with disabilities

26. **The Committee commends the State party's efforts to ensure the implementation of the rights of children with disabilities. Recalling its previous recommendations (see CRC/C/AGO/CO/2-4, para. 48) and taking into account its general comment No. 9 (2006) on the rights of children with disabilities and target 4.5 of the Sustainable Development Goals on ensuring equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, the Committee recommends that the State party:**

(a) **Pursue and strengthen its programmes and services for all children with disabilities aimed at enhancing their social inclusion, and ensure in particular their access to health and social services, inclusive education and vocational training so that they can participate actively in the community;**

(b) **Increase human, financial and material resources to develop inclusive education and ensure that it is given priority over the placement of children in specialized institutions and classes, and invest in the development of the professional skills of children with disabilities;**

(c) **Continue building the capacity, including through training, of all professionals working with children with disabilities, including teachers, social workers, medical personnel and paramedics;**

(d) **Intensify measures, including awareness-raising, to combat the stigma attached to children with disabilities, including children with psychosocial or intellectual disabilities, and to encourage parents of children with disabilities to support the fullest possible social integration and individual development of their children.**

Health and health services

27. The Committee welcomes the child health-related subprogramme of the National Development Programme 2013–2017. The Committee remains concerned, however, at the greater risk children born in poor households, in rural areas, or to mothers without basic education face of dying before 5 years of age; the high maternal mortality rate correlated to poor neonatal health, including the reported lack of a clear policy on the training of midwives and of insufficient quality standards for maternal and newborn care; and the low rate of full immunization coverage of children, which stands at just 31 per cent. The Committee is further concerned about the inadequate information on public policies concerning children's mental health.

28. **With reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, taking note of Sustainable Development Goal targets 3.1 and 3.2 on reducing the global maternal mortality ratio and on ending preventable deaths of newborns and children under 5 years of age, and recalling its previous recommendations (see CRC/C/AGO/CO/2-4, para. 50), the Committee recommends that the State party:**

(a) **Extend access to primary health care to all provinces;**

(b) **Effectively implement existing programmes aimed at reducing child mortality and morbidity rates, including by improving the skills of midwives and adopting quality standards for maternal and newborn care;**

(c) Step up the provision of malaria prevention and treatment in affected areas, including by strengthening the epidemiological monitoring system at the provincial and municipal levels;

(d) Swiftly establish epidemic response committees;

(e) Make all efforts to achieve the goal of full immunization coverage for children;

(f) Take into account the technical guidance from OHCHR on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age (A/HRC/27/31);

(g) Ensure that all children have access to mental health services and counselling;

(h) Allocate the necessary financial, human and technical resources to the child health sector;

(i) Continue to seek financial and technical assistance regarding child health from, among others, the Global Alliance for Vaccines and Immunization, UNICEF and the World Health Organization.

Adolescent health

29. With reference to its general comments No. 4 (2003) on adolescent health and development in the context of the Convention and No. 20 (2016) on the implementation of the rights of the child during adolescence, and recalling its previous recommendations (see CRC/C/AGO/CO/2-4, para. 52), the Committee recommends that the State party:

(a) Strengthen its adolescent reproductive health programme and awareness-raising campaigns, including life skills education to foster responsible parenthood and sexual behaviour, paying particular attention to boys, continue to ensure access to contraceptives for adolescents under the age of 18 years and ensure access to comprehensive, quality, age-appropriate HIV/AIDS, sexual and reproductive health services, confidential counselling and support for pregnant adolescent girls;

(b) Step up its efforts to educate children, adolescents and their families about HIV/AIDS and other sexually transmitted diseases and the negative consequences of early pregnancy and abortions, especially abortions carried out at home;

(c) Decriminalize abortion in all circumstances on the occasion of the revision of the Penal Code, and ensure access to safe abortion and post-abortion care services for adolescent girls and also that their views are always heard and given due consideration as a part of the decision-making process;

(d) Develop and implement a policy to protect the rights of pregnant girls and adolescent mothers and their children;

(e) Focus, in particular, on rural areas in implementing the recommendations set out in subparagraphs (a)–(d) above.

Drug and substance abuse

30. While welcoming measures such as the adoption of the National Development Programme 2013–2017 subprogramme on "Promotion of Healthy Life Habits and Lifestyles" and the National Plan to Combat Drugs, and noting that drug consumption is on the rise nationally according to the State party's report, the Committee recommends that the State party:

(a) Strengthen its measures to address drug abuse by children and adolescents by, inter alia, continuing to provide children and adolescents with accurate and objective information and life skills education on preventing substance

abuse, including tobacco and alcohol, and developing accessible and youth-friendly drug dependence treatment and harm-reduction services;

(b) **Prohibit tobacco and alcohol advertisement in any form, including by privately owned media and companies;**

(c) **Evaluate the subprogramme on the "Promotion of Healthy Life Habits and Lifestyles" and the National Plan to Combat Drugs and, based on that evaluation, develop a follow-up programme, and include information and data on drug and alcohol abuse among children in its next report.**

HIV/AIDS

31. **The Committee welcomes initiatives such as the subprogramme on the "Prevention and Control of Priority Diseases" of the National Development Programme 2013–2017 and the measures taken by the National Institute for the Fight against AIDS. With reference to its general comment No. 3 (2003) on HIV/AIDS and the rights of the child, and recalling its previous recommendations (see CRC/C/AGO/CO/2-4, para. 56), the Committee recommends that the State party seek technical assistance from, inter alia, the Joint United Nations Programme on HIV/AIDS (UNAIDS) and UNICEF, and adopt and fund a follow-up programme that:**

(a) **Continues and strengthens the measures in place to prevent mother-to-child transmission of HIV/AIDS and develops a road map to ensure the implementation of effective preventive measures;**

(b) **Improves follow-up treatment for HIV/AIDS-infected mothers and their children to ensure early diagnosis and early initiation of treatment;**

(c) **Improves access to and coverage of antiretroviral therapy and prophylaxis for HIV-infected pregnant women;**

(d) **Allocates sufficient financial, human and technical resources to the National Institute for the Fight against AIDS, including the distribution of HIV screening tests to hospitals and health centres, and expedites the operationalization of the Provincial Committees for the Fight against AIDS and Major Endemic Diseases.**

Nutrition and breastfeeding

32. The Committee notes with interest the adoption of a National Nutrition Strategy by the Ministry of Health, the implementation of which is, however, reported to lack sustainability owing to weak leadership and a lack of adequate intersectoral coordination, capacity and resources. The Committee is seriously concerned that:

(a) Undernutrition is prevalent in the State party, with chronic undernutrition (stunting) of children under 5 years of age having increased to 38 per cent in the period 2015–2016 from 29 per cent in 2007;

(b) Undernutrition is associated with 45 per cent of child deaths;

(c) Progress on equitable access to sources of water and sanitation across the provinces has not been achieved, which strongly correlates to the prevalence of stunting;

(d) There are low rates of exclusive maternal breastfeeding, with early feeding of breast-milk substitutes, and that the short period of maternity leave does not correspond to at least 14 weeks.

33. **Recalling its previous recommendations (see CRC/C/AGO/CO/2-4, paras. 50 and 58), the Committee urges the State party to:**

(a) **Allocate sufficient financial, human and technical resources for the implementation of the National Nutrition Strategy, and ensure leadership and coordination, while swiftly adopting its envisaged new national food and nutrition policy, giving critical importance to maternal, infant and young child nutrition in rural areas;**

(b) **Promote nutrition awareness, food diversity and the consumption of more nutritious foods throughout the State party;**

(c) **Reactivate the process of approval and enforcement of the National Policy of Environmental Sanitation and expand the community water management model in villages and peri-urban areas;**

(d) **Step up efforts to promote exclusive and continued breastfeeding by providing access to information materials, promote exclusive breastfeeding of infants for the first six months of their lives, with the aim of reducing mortality among newborns and children under 5 years of age, and adjust the duration of maternity leave to at least 14 weeks;**

(e) **Limit the use of milk substitutes, and implement the International Code of Marketing of Breast-milk Substitutes.**

G. Education, leisure and cultural activities (arts. 28–31)

Education, including vocational training and guidance

34. **The Committee recognizes the State party's efforts regarding education and training, which led to a sharp increase in the number of students attending preschool, primary and secondary school, and an increase in the gross enrolment rate in primary and secondary schools from 13.19 per cent in 2014 to 97.5 per cent in 2016. With reference to its general comment No. 1 (2001) on the aims of education and target 4.5 of the Sustainable Development Goals on eliminating gender disparities in education and ensuring equal access to all levels of education and vocational training for the vulnerable, and recalling its previous recommendations (see CRC/C/AGO/CO/2-4, para. 60), the Committee recommends that the State party:**

(a) **Expedite the adoption of the draft early childhood development policy;**

(b) **Increase enrolment in schools by overcoming obstacles for out-of-school children, including by waiving fees for educational materials, eradicating the practice of paying bribes to education officials to secure placement, providing greater secondary school opportunities in rural areas and developing alternative education strategies, including through context-adapted curricula, to improve parents' perception of the value of education;**

(c) **Develop durable solutions, including by expediting the approval of the draft policy on teacher training, improving school management, providing supportive supervision to teachers and adopting strategies to motivate and retain teachers in rural areas and to address the reported root causes of children dropping out of school, such as gender-based violence in schools, child marriage, teenage pregnancy, poor preparation for schooling, a lack of teachers, poor teaching quality, insufficient access to educational materials, lack of water and sanitation and overcrowded schools;**

(d) **Ensure the allocation of sufficient and adequate human, technical and financial resources to the education system, in particular in rural areas, for girls and for children from the State party's nomadic population.**

H. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)

Economic exploitation, including child labour

35. **While noting the adoption of Law No. 3/14 on Crimes Underlying Money Laundering in 2014, which prohibits the use of child labour and establishes the Office of the Labour Inspector General, and Presidential Decree No. 30/17, which establishes a list of 57 hazardous occupations and activities that cannot be carried out by children, the Committee remains concerned that child labour is still highly prevalent in the**

State party, especially in rural areas. Recalling its previous recommendations (see CRC/C/AGO/CO/2-4, para. 66), the Committee recommends that the State party:

(a) **Further strengthen the institutional structures and mechanisms to protect children from economic exploitation, including the worst forms of child labour;**

(b) **Systematically record cases of child labour, particularly labour in hazardous conditions and in the informal sector;**

(c) **Build the capacity of labour inspectors, allocate appropriate resources to labour inspection, increase labour inspections at places of work and bring perpetrators to justice;**

(d) **Strengthen public awareness of child labour, its exploitative character and its consequences and combat public perceptions that children are income-generating assets;**

(e) **Further engage with international donors, agencies, civil society organizations and the business sector to combat child labour and economic exploitation, particularly for disadvantaged children, girls, children in street situations, orphans and children involved in drug and substance abuse, who are at risk of becoming engaged in the worst forms of child labour;**

(f) **Build the awareness of teachers about the risks of child labour with a view to keeping children in school;**

(g) **Increase the number of social workers to reinforce the identification of children involved in child labour and provide systematic rehabilitation services to such children;**

(h) **Seek technical assistance with regard to the recommendations in subparagraphs (a)–(g) above from the International Programme on the Elimination of Child Labour of the International Labour Organization.**

Children in street situations

36. **With reference to its general comment No. 21 (2017) on children in street situations, the Committee urges the State party to:**

(a) **Assess the number of children in street situations, undertake studies on the root causes of the large number of children in street situations and develop a comprehensive strategy, with the involvement of such children, to address those causes, with the aim of reducing and preventing this phenomenon;**

(b) **Provide children in street situations with social and health services, education and lodging;**

(c) **Facilitate either reintegration with their families or placement in alternative care for children in street situations, while fully respecting the children's best interests and giving due weight to their views in accordance with their age and maturity.**

Administration of juvenile justice

37. The Committee welcomes the State party's action to increase the minimum age of criminal responsibility from 12 to 14 years of age, the evaluation of its justice for children system, the pilot project on mediation and diversion in juvenile justice under the Tutelary Commission for Minors and the training provided by the National Institute of Judicial Studies on the jurisdictional protection of children's rights carried out with support from UNICEF. The Committee remains concerned, however, that the juvenile justice system only applies to children up to the age of 16 years, that children outside Luanda Province still appear before regular provincial courts instead of juvenile courts, that children at times are tried as adults, at the lack of availability of alternatives to detention, that children remain in police custody or pretrial detention for extended periods of time and are being detained or imprisoned together with adults, that the two rehabilitation centres for juvenile

offenders in the State party are not fully operational, and that about 95 per cent of the State party's lawyers are concentrated in the capital.

38. **With reference to its general comments No. 10 (2007) on children's rights in juvenile justice and No. 20 (2016) on the implementation of the rights of the child during adolescence and reiterating its previous recommendations (see CRC/C/AGO/CO/2-4, para. 74), the Committee urges the State party to bring its juvenile justice system fully into line with the Convention and other relevant standards. The Committee recommends that the State party:**

(a) **Ensure that the juvenile justice system applies to children up to 18 years of age;**

(b) **Continue to promote and strengthen non-judicial measures, such as diversion, mediation and counselling, for children accused of criminal offences and, wherever possible, the use of non-custodial sentences for children, such as probation or community service, including under the mandate of the Tutelary Commission for Minors;**

(c) **Ensure that detention, including pretrial detention, is used as a measure of last resort and for the shortest possible period of time, that it is reviewed on a regular basis with a view to its withdrawal, and that it is not used for minor offences;**

(d) **Expedite trials involving children to reduce the pretrial detention periods and ensure that children are not detained together with adults and that detention conditions are compliant with international standards, including with regard to the provision of a safe, child-sensitive environment, regular contact with family members and access to food, health services and education, including vocational training;**

(e) **Ensure that the juvenile justice system is equipped with adequate human, technical and financial resources and continue to ensure that designated specialized judges for children receive appropriate training;**

(f) **Ensure the provision of qualified and independent legal aid to children in conflict with the law at an early stage and throughout the legal proceedings;**

(g) **Continue to seek technical assistance with regard to the recommendations set out above from, among others, OHCHR, UNICEF and the United Nations Office on Drugs and Crime.**

I. Ratification of the Optional Protocol to the Convention on a communications procedure

39. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on a communications procedure.**

J. Ratification of international human rights instruments

40. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments to which it is not yet a party:**

(a) **The International Convention on the Elimination of All Forms of Racial Discrimination (signed on 24 September 2013);**

(b) **The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (signed on 24 September 2013);**

(c) **The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (signed on 24 September 2013);**

(d) **The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (signed on 24 September 2013);**

(e) **The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (signed on 24 September 2013);**

(f) **The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;**

(g) **The International Convention for the Protection of All Persons from Enforced Disappearance (signed on 24 September 2013).**

K. Cooperation with regional bodies

41. **The Committee recommends that the State party cooperate with the African Committee of Experts on the Rights and Welfare of the Child of the African Union on the implementation of the Convention on the Rights of the Child and other human rights instruments, both in the State party and in other African Union member States.**

IV. Implementation and reporting

A. Follow-up and dissemination

42. **The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined fifth to seventh periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.**

B. Next report

43. **The Committee invites the State party to submit its eighth periodic report by 3 January 2023 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.**

44. **The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I) and paragraph 16 of General Assembly resolution 68/268.**